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SUPREME COURT, U.S.

In the

# Supreme Court of the United States

October Term, 1948.

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No. 38

LA CROSSE TELEPHONE CORPORATION,
*Appellant,*

*v.*

WISCONSIN EMPLOYMENT RELATIONS BOARD, ET AL.

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No. 39

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL B-953, A. F. of L.,
*Appellant,*

*v.*

WISCONSIN EMPLOYMENT RELATIONS BOARD, ET AL.

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## BRIEF AND APPENDIX OF COMMUNICATION WORKERS OF AMERICA, DIVISION 23

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Milwaukee, Wisconsin

THE GILMAN PRESS, MADISON, WISCONSIN

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## BRIEF AND APPENDIX OF COMMUNICATION WORKERS OF AMERICA, DIVISION 23

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### OPINIONS BELOW

The opinion of the Wisconsin Supreme Court from which appeal is taken is reported in 251 Wis. 583, 30 N. W. 2d 241.

## STATEMENT RESPECTING JURISDICTION

The appellants seek to invoke the jurisdiction of this court under sec. 237 (a) of the Judicial Code, 28 U. S. C. A. sec. 344.

On April 19, 1948 this court took the following action:

> "The statements of jurisdiction in these cases having been submitted and considered by the court, further consideration of the question of jurisdiction of this court is postponed to the hearing of the cases on the merits."

The Communication Workers of America, Division 23, is a real party in interest in this case since it was the petitioner in the action before the Wisconsin Employment Relations Board, and participated actively in the proceedings before both state courts. It was not served with any notices of the appeals to this court. During October of 1948 it was served with copies of briefs in connection with the appeals, but before proceeding further it was necessary for counsel to determine Division 23's desires and to obtain its approval. The Communication Workers of America, Division 23, does desire a decision in this case. The Communication Workers of America, Division 23, believes it is a necessary party appellee, but is willing to waive any claim which might be based upon failure to receive proper notice of appeal, in order that the issues before this court may be determined.

The Communication Workers of America, Division 23, formerly operated under the name Telephone Guild of Wisconsin; and it is so referred to throughout the record.

## QUESTIONS PRESENTED

This appellee supports the position taken by the Wisconsin Employment Relations Board in that it believes this court should affirm the judgment below, but it does not wish to oppose this court's taking jurisdiction to pass upon the merits. The primary issue, in the opinion of this appellee, is the second one presented in the brief of the State Board:

Did Congress, by the mere enactment of the National Labor Relations Act, preclude a state agency from conducting an election to ascertain the wishes of employees of a local telephone company with respect to a bargaining representative, when no enforcible order or judgment is entered on the basis of such election; and when the National Labor Relations Board has never taken jurisdiction of any phase of the labor relations between the employer and employees involved?

## STATEMENT OF THE CASE

On September 20, 1946, a petition for an election among employees of the La Crosse Telephone Corporation was filed with the National Labor Relations Board (Case No. 18-R-1864) by the Guild. (The Communication Workers of America, Division 23, which formerly operated under the name of Telephone Guild of Wisconsin, is herein referred to as the Guild to avoid confusion.) The National Board's examiner was unable to obtain informal determination of the question of representation because of the employer's refusal to consent to an election, and so such examiner advised the Guild to withdraw its petition and to file one with the State Board for the reason that the case load of the National Board was so heavy that it would require at least seven months to process the matter. The National Board's examiner called the chairman of the Wisconsin Employment Relations Board and asked if that board would accept a petition.*

On October 8, 1946, the Guild withdrew its petition filed with the National Board, pursuant to such advice, and a new petition was filed with the State Board. The petition requested the State Board to conduct an election among employees of the La Crosse Telephone Corporation as to their collective bargaining representative. The State Board conducted an election on December 17, 1946, in which employees in the bargaining unit formerly represented by

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*Such information is indicated in the brief of the United States as **amicus curiae** (pages 4 and 5) to be judicially noticeable. We are somewhat doubtful whether, under the rule of **Great Northern Ry. Co. v. Sunike**, 261 U. S. 149, the informal dealings described in such brief may be judicially noticed; but if the rules of judicial notice cover the transactions described at pages 4 and 5 of the brief **amicus curiae**, they undoubtedly cover the comparable transactions relating to withdrawal of the petition above described. We are, however, giving the same details by affidavits at pages 9-12, 19 of the appendix to this brief.

the appellant, International Brotherhood of Electrical Workers, A. F. of L., Local Union No. B-953, expressed their wish to have the Guild as their bargaining representative by the following vote: (R. 12-14)

**FOR THE GUILD — 91**
**FOR LOCAL B-953 — 14**

It was the State Board's certification of such vote from which the employer and Local B-953 appealed.*

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*The brief **amicus curiae** contains at page 8 some statements relative to events which took place after the action of the State Board which is under review and which we assume can have no bearing, since it would seem that the validity of action under review would have to be determined on the basis of the facts in the record upon which it was taken. If the later events are deemed by this court to be pertinent, however, we believe that inaccuracies, which may have resulted from incomplete data, should be corrected. The Guild did file two later petitions with the National Board, but both were withdrawn by the Guild with permission of the Board's Regional Director, without prejudice, rather than dismissed upon the merits as stated in the brief **amicus curiae.** We are covering details by affidavits reproduced in our appendix, although the facts described are in records of the National Board and would be judicially noticeable if the position taken at pages 4, 5, and 8 of the brief of the United States **amicus curiae** is correct.

The circumstances surrounding the filing and withdrawal of the later petitions are as follows:

After the Circuit Court for La Crosse County issued its decision, indicating the State Board's jurisdiction to conduct an election had been negated by the **Bethlehem Steel** decision, the Guild filed a petition for election by the National Board. (Case 18-R-1882) The field examiner to whom the petition was assigned wrote the Guild, recommending that the petition be withdrawn and another filed about two months later when the expiration date of the contract negotiated between the employer and Local B-953 the previous autumn would be near, so that there "would be no question of the timeliness of such a petition" and "the Regional Director and the Regional Attorney would both consider the majority vote in the State conducted election in December 1946 as evidence of representation." (Appendix 20-21) The Guild petitioned the National Board to review the Regional Director's declination to proceed with further investigation at that time, but before the review could be processed sufficient time had elapsed so that the question was no longer pertinent. The Guild was, therefore, permitted by the Regional Director to withdraw the earlier petition "without prejudice" (See withdrawal request and letter of permission at pages 21-22 of the appendix) and a new petition was filed simultaneously. The processing of the new petition had to be delayed because of the Taft-Hartley Act's becoming effective and the necessity of filing affidavits and reports required by that act. By the time that had been done, the Wisconsin Supreme Court had reversed the judgment of the lower court, and there seemed to be no necessity for further election. Accordingly, the Guild withdrew its last petition by permission of the Regional Director "without prejudice." (See letter of permission at pages 14-15 of appendix)

## ARGUMENT

This appellee endorses the argument of the Wisconsin Employment Relations Board but wishes also to suggest that the interests of this appellee, as the representative chosen by 91 out of 105 of the employees who voted, inject into the case something more than the impersonal issues of the jurisdiction discussed by the State Board. Both federal and state legislation purport to seek avoidance of industrial conflict by providing to employees other means of effectuating their right to bargain through their chosen representatives. The Guild and the employees of the La Crosse Telephone Corporation have for two years refrained from methods of enforcing their desires which the federal and state laws seek to avoid, and have instead resorted in good faith to the processes of justice which the laws seek to substitute. In resorting to such processes of justice, the Guild has not sought to "shop around" between governmental agencies, but resorted first to the National Labor Relations Board. It removed its petition from that board to the State Board only upon the advice of the examiner in charge of the National Board's Milwaukee office that it would be better to do so, because the case load of the National Board was so great that it could not process a petition opposed by an employer in less than seven months.

It is in cases where the employer opposes the obtaining of impartial evidence respecting the desires of employees that assistance is most greatly needed; because if an employer is willing to have the fact ascertained, it can be done easily and readily even without the assistance of either the National or State Board.

If the appellants' challenge of the State Board's jurisdiction is grounded, as they say, upon assertion of exclusive jurisdiction in the National Board, they could have procured a determination by the latter by agreement when its examiner conferred with them upon receipt of the first petition, or either of the appellants could have filed a petition with the National Board at any time. Instead, they sought, and still seek, to avoid an election by either board.

Having ascertained upon the filing of the Guild's first petition that the employer sought to evade an election, the representative of the National Board not only advised the Guild to transfer its petition to the State Board, but in the presence of the Guild's counsel and one of its officers telephoned the chairman of the State Board to ask if the latter would take jurisdiction. During the entire proceedings before the State Board, there was no indication of a change in attitude on the part of the National Board.

The two petitions which were filed with the National Board by the Guild subsequent to the election by the State Board, and then withdrawn, were the result of an attempt to keep apace with developments in the review proceedings carried on by the employer and Local B-953. The withdrawals of such petitions resulted from an endeavor to avoid complications in the determinations of issues involved in such review. The Guild has, throughout the proceedings, sought squarely and directly to have such issues determined authoritatively and conclusively. The National Board, in connection with such subsequent petitions, has never proceeded to the stage of making a jurisdictional finding nor of making a final decision upon the merits of the petition. The final action taken by such board with

respect to the petitions in both cases was to approve the withdrawal of the petitions without prejudice.

For two years the Guild has patiently awaited the outcome of its resort to the processes of justice instead of resorting to a strike or similar forms of economic pressure. If, at the end, it were to find itself frustrated by technicalities, we believe that the intent and objectives of both the legislature of Wisconsin and the Congress of the United States would be defeated rather than served.

Respectfully submitted,

DONALD J. MARTIN,
*Counsel for Communication Workers of America, Division 23.*

CHARLES KOONS,
Washington, D. C.
*Of Counsel*

# APPENDIX

## AFFIDAVIT

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

Edward J. Brophy having been first duly sworn on oath, says that he is a resident of the City of Milwaukee, Milwaukee County, Wisconsin, residing at 741 North 12th Street in said city, county, and state. That on the 20th day of September 1946, and thereafter at all times material hereto he was an employee of the National Labor Relations Board acting as the Examiner in Charge of the office maintained by the National Labor Relations Board at the City of Milwaukee, Wisconsin. That on said 20th day of September, 1946, he received a petition filed by the Telephone Guild of Wisconsin with such board, which petition requested the board to ascertain and certify the collective bargaining representative of certain employees of the La Crosse Telephone Company. That he made an investigation and had an informal conference with the representatives of the petitioning guild, the employer, and the International Brotherhood of Electrical Workers, which union was then representing the employees involved. That at such informal conference both the employer and the International Brotherhood of Electrical Workers indicated that they would not consent to the conduct of an election by the National Board, and that it would be necessary for a hearing to be conducted, and an order by the Board directing such election before one could be held. That affiant thereupon contacted the chairman of the Wisconsin Employment Relations Board and inquired as to whether that Board would entertain a similar petition from the Telephone

Guild if the Guild withdrew its petition from the National Board, and was advised that the Wisconsin Board would entertain such a petition, and after a hearing make a determination as to whether it would conduct an election or not. That because of the excessive case load then pending before the regional office of the National Labor Relations Board affiant was of the opinion that a long period of time would elapse before a hearing could be had and the petition of the Guild disposed of. That affiant thereupon advised the representatives of the Guild that speedier action might be obtained by proceeding before the Wisconsin Employment Relations Board. That he had contacted that board and that the Wisconsin Board would entertain such a petition provided the pending petition with the National Board was withdrawn and a new petition filed with the Wisconsin Board. That thereupon, the Guild requested the withdrawal of its petition then pending before the National Board and such withdrawal was approved by the Regional Director of such board. That affiant is informed and believes that immediately thereafter the Guild filed a new petition with the Wisconsin Board, and that at the time such petition was filed there was no matter involving the employees of the La Crosse Telephone Company pending before the National Board.

EDWARD J. BROPHY

Signed and suscribed
before me this 12th day of November, 1948.
CARL L. GLAZEWSKI
Notary Public
Milwaukee County, Wisconsin
My Commission Expires May 27, 1951

# AFFIDAVIT

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

Ray F. Dryer, being first duly sworn on oath, deposes and says that he is a resident of the City of Milwaukee, Milwaukee County, Wisconsin, residing at 759 North Milwaukee Street in said city, county and state; that on the 20th day of September, 1946, and thereafter at all times material hereto, he was executive secretary of the Telephone Guild of Wisconsin; that on September 20, 1946 the Telephone Guild of Wisconsin filed a petition with the National Labor Relations Board asking to represent certain employees of the La Crosse Telephone Corporation (Case No. 18-R-1864); that Edward J. Brophy, examiner in charge of the National Labor Relation Board's Milwaukee office, informed the affiant that it would take at least seven months for the National Board to complete investigation on the petition because of its heavy case load; that said Edward J. Brophy advised affiant to withdraw the petition and file one with the Wisconsin Employment Relations Board where the matter could be handled sooner; that said Edward J. Brophy telephoned to the chairman of the Wisconsin Employment Relations Board in the affiant's presence to ask whether the State Board could handle the matter; that pursuant to such advice the Telephone Guild of Wisconsin withdrew said petition from the National Labor Relations Board; and that on October 9, 1946 said withdrawal was approved by the regional director of

the Minneapolis office of the National Labor Relations Board.

RAY F. DRYER

Signed and subscribed before me
this 12th day of November, 1948.
CARL L. GLAZEWSKI
Notary Public, Milwaukee County, Wisconsin
My Commission expires May 27, 1951.

## AFFIDAVIT

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

Arthur B. LeFevre being first duly sworn on oath says that he is a resident of the City of Milwaukee, Milwaukee County, Wisconsin, residing at 759 North Milwaukee Street in said city, county and state; that on December 17, 1946 and at all times thereafter up to the present date, he was president of the Telephone Guild of Wisconsin, the former name of Division 23, Communication Workers of America, and that therefore he has continuously been president of the union referred to herein as the Guild for such entire period of time; that on December 17, 1946 an election was conducted by the Wisconsin Employment Relations Board among the employees of the La Crosse Telephone Corporation in which they overwhelmingly expressed themselves in favor of the Guild as their collective bargaining agent; that on May 5, 1947, subsequent to the Circuit Court of La Crosse County deciding that in accordance with the Bethlehem Steel case the State Board had no jurisdiction, the Guild did file a new petition for certification of representa-

tives with the National Board, Case No. 18-R-1882; that said petition was withdrawn by the Guild on August 1, 1947 simultaneously with the filing of a new petition (Case No. 18-R-1946) requesting a determination of representatives for the same employees; that the National Labor Relations Board assigned the new petition to Field Examiner Bruce of the Minneapolis office of the National Board; that due to a request from the National Board of September 30, 1947 (Case No. 13M-R-23) requesting the Guild to meet the new requirements of section 9 (f) (g) and (h) of the Labor Management Relations Act, the National Board deferred further action on the petition until such requirements had been met; that on December 30, 1947 Examiner Bruce requested that new and current evidence of representation be submitted by the Guild; that prior to the Guild's obtaining this new and current evidence, the Wisconsin Supreme Court at 251 Wis. 586-589, 30 N. W. 2d 242-243 reversed the decision of the Circuit Court for La Crosse County and upheld the decision of the Wisconsin Employment Relations Board; that because of the decision of the Wisconsin Supreme Court, the Guild deemed it unnecessary to obtain new evidence but withdrew its petition under Case No. 18-R-1946 on February 5, 1948, which withdrawal was approved by the regional director on February 11, 1948 without prejudice; and that there is attached hereto, marked Exhibit 1, a true and correct copy of the letter received from the National Labor Relations Board approving such withdrawal.

That affiant is informed and believes that during these entire proceedings covering the review by the Circuit Court of La Crosse County and the appeal to the Wisconsin Su-

preme Court along with the appeal to the United States Supreme Court as well, the La Crosse Telephone Corporation has continued to negotiate with Local B-953, International Brotherhood of Electrical Workers for the telephone employees.

ARTHUR B. LE FEVRE

Signed and subscribed before me
this 12th day of November, 1948.
CARL L. GLAZEWSKI
Notary Public, Milwaukee County, Wisconsin
My commission expires May 27, 1951.

EXHIBIT 1

NATIONAL LABOR RELATIONS BOARD
Eighteenth Region
801 Wesley Temple Building
Minneapolis 4, Minnesota

February 11, 1948

Mr. Arthur B. Le Fevre, General President
Communications Workers of America,
Division 23
729 North Milwaukee Street
Milwaukee, WISCONSIN

Re: LaCROSSE TELEPHONE CORPORATION
Case No. 18-R-1946

Dear Mr. Le Fevre:

This will acknowledge receipt of your request to withdraw the petition in the above matter without prejudice.

Your request is granted and the company is being notified of the withdrawal.

Very truly yours,

/s/ Charles M. Ryan
CHARLES M. RYAN
Regional Director

M. L.

Cc: Donald J. Martin, Attorney
4608 W. Crawford Avenue
Milwaukee 14, WISCONSIN

Ray F. Dryer, Secretary-Treasurer
Communications Workers of America,
Division 23
729 North Milwaukee Street
Milwaukee, WISCONSIN

## AFFIDAVIT

STATE OF WISCONSIN }
MILWAUKEE COUNTY } ss.

Donald J. Martin having been first duly sworn on oath says that he is a resident of the City of Milwaukee, Milwaukee County, Wisconsin, residing at 4608 West Crawford Avenue in said city, county and state; that from September 1, 1946 to and including the present time he has been counsel for the Communication Workers of America, Division 23, formerly known as the Telephone Guild of Wisconsin; that on September 20, 1946 he as attorney for the Telephone Guild of Wisconsin filed a petition (Case No. 18-R-1864) with the National Labor Relations Board to determine the question of representation for employees of the La Crosse Telephone Corporation; that he attended a meet-

ing on September 30, 1946, at La Crosse, Wisconsin, conducted by Edward J. Brophy, examiner in charge of the Milwaukee sub-regional office of the National Labor Relations Board and that it was impossible to determine informally the question of representation involved in the case because of the employer's refusal to consent to an election; that on October 8, 1946 the Guild withdrew its petition (Case No. 18-R-1864) from the National Labor Relations Board upon advice of Examiner Brophy, who stated that much quicker action could be obtained from the Wisconsin Employment Relations Board since the National Board's heavy case load would require at least seven months for hearing and determination of the petition, he having by telephone discussed the matter with the chairman of the Wisconsin Employment Relations Board in the presence of affiant and Ray F. Dryer, executive secretary of the Guild; that this request for withdrawal was approved by the Minneapolis regional office of the National Board on October 9, 1946 in a letter addressed to affiant, true and correct copy of which is hereto attached, marked Exhibit 2; that on October 8, 1946 a petition was filed with the Wisconsin Employment Relations Board and that on October 18, 1946 the Wisconsin Board conducted a hearing on such petition in which affiant acted as counsel for the Guild; that subsequent to this hearing a direction was issued by the Wisconsin Board on November 27, 1946 for an election among the La Crosse Telephone Company employees on December 18, 1946; that subsequent to such election and on January 14, 1947 certification was issued by the State Board in accordance with the results of the election; that review of the certification of the Wisconsin Board was requested by both the company and Local B-953, Interna-

tional Brotherhood of Electrical Workers, A. F. of L., and hearing on such review was held March 27, 1947 in the Circuit Court for La Crosse County in which affiant participated as counsel for the Guild; that subsequent to such hearing and before a decision was handed down by the Circuit Court judge, a decision was made in *Bethlehem Steel Co. v. New York State Labor Rel. Bd.*, (1947) 330 U. S. 767, 67 S. Ct. 1026, 91 L. ed. 1234 and that the Circuit Court for La Crosse County reversed the Wisconsin Board relying on that decision; that subsequent to this decision and in order to expedite the question of representation among telephone company employees though knowing full well the decision of the Circuit Court for La Crosse County would be appealed and on advice of this affiant, the Guild did on May 5, 1947 file a petition with the National Labor Relations Board, Case No. 18-R-1882; that affiant did attend a conference held by Examiner Bruce at La Crosse on June 6, 1947 at which conference it was impossible to arrange an informal determination of the question of representation because of the employer's refusal to consent to an election; that on June 12 the affiant received a letter from Field Examiner Bruce respecting such petition, copy of which is hereto attached and marked Exhibit 3; that on August 1, 1947 and at the request of James M. Shields, regional director at Minneapolis for the National Labor Relations Board, counsel for the Guild requested withdrawal of the petition under Case No. 18-R-1882 and filed a new petition covering the same company and the same employees with the National Labor Relations Board, true and correct copies of the request for permission to withdraw said petition, and of the letter approving same are attached hereto, marked Exhibit 4 and 5 respectively.

That due to the formal filing requirements of Public Law #101, the Taft-Hartley Act, no action was taken under Case No. 18-R-1946 until December 30, 1947 at which time Examiner Bruce, to whom the case had been assigned requested new evidence of representation in the form of current membership or application cards; that before this request could be complied with the Wisconsin Supreme Court at 251 Wis. 586-589, 30 N. W. 2d 242-243 reversed the decision of the Circuit Court for La Crosse County and sustained the findings of the Wisconsin Employment Relations Board; that subsequent to this decision and on February 5, 1948 the Guild requested withdrawal of its petition under Case No. 18-R-1946 which request was granted by the Minneapolis regional director, Charles M. Ryan, on February 11, 1948 without prejudice; that during the entire period referred to herein counsel for the Guild has attempted to have the parties await a final determination of the question of representation until a determination could be made by a court of last resort.

DONALD J. MARTIN.

Signed and subscribed before
me this 12th day of November, 1948.
CARL L. GLAZEWSKI,
Notary Public, Milwaukee County, Wisconsin
My Commission expires May 27, 1951.

EXHIBIT 2

NATIONAL LABOR RELATIONS BOARD
Eighteenth Region
801 Wesley Temple Building
Minneapolis 4, Minnesota

October 9, 1946

Mr. Donald J. Martin
Telephone Guild of Wisconsin
4608 West Crawford Avenue
Milwaukee, WISCONSIN

Re: LaCROSSE TELEPHONE COMPANY
Case No. 18-R-1684

Dear Mr. Martin:

This will acknowledge receipt of your request to withdraw the petition in the above matter without prejudice.

Your request is granted and the company is being notified of the withdrawal.

Very truly yours,

/s/ Aubrey McEachern
AUBREY McEACHERN
Acting Regional Director

Cc: Wisconsin Telephone Guild
759 North Milwaukee Street, Room 521
Milwaukee, WISCONSIN

jmc

EXHIBIT 3

NATIONAL LABOR RELATIONS BOARD
Eighteenth Region
801 Wesley Temple Building
Minneapolis 4, Minnesota

June 12, 1947

Mr. Donald J. Martin
4608 W. Crawford Avenue
Milwaukee 14, Wisconsin

Re: LA CROSSE TELEPHONE CORPORATION
Case No. 18-R-1882

Dear Mr. Martin:

The evidence in this case has been considered, and in view of the legal question as to the timeliness of the present petition, which petition involves the history of the various cases in the past year, it is my recommendation that the present petition be withdrawn. A new petition could then be filed about the middle of August, and we could then proceed with a relatively simple representation case. There would be no question as to the timeliness of such a petition, and I am advised that the Regional Director and the Regional Attorney would both consider the majority vote in the State conducted election in December 1946 as evidence of representation, though, of course, new membership cards would be more convincing evidence.

Thus, if we were to proceed now, the outcome with respect to a Board order is doubtful, but I am of the belief that an election would be ordered if the petition were filed at a more appropriate date. I am, therefore, enclosing a Withdrawal Request form for you or Mr. Dryer to sign and return to this office. Under separate cover I am return-

ing your membership application forms as well as your copy of the State Hearing Trancript and the State Certification.

Very truly yours,

/s/ Alan Bruce
Alan Bruce
Field Examiner

Enclosure

EXHIBIT 4

WITHDRAWAL REQUEST

In the matter of La Crosse Telephone Corporation
(Name of case)

18-R-1882
(Number of case)

This is to request withdrawal of the (petition) ~~(charge)~~ in the above case without prejudice.

Communications Workers of America, Division 23 (Successor to Telephone Guild of Wisconsin) affiliated with National Federation of Telephone Workers
(Name of Union or Employer)

By /s/ Ray F. Dryer
RAY DRYER (Name of Representative)

Secy-Treasurer (Title)

Date August 1, 1947

Withdrawal request approved

(Date)

(Regional Director)

EXHIBIT 5

NATIONAL LABOR RELATIONS BOARD
Eighteenth Region
801 Wesley Temple Building
Minneapolis 4, Minnesota

August 4, 1947

Mr. Donald J. Martin,
Attorney for Communications Workers of America,
Division 23,
4608 W. Crawford Avenue,
Milwaukee 14, Wisconsin.

Re: LaCrosse Telephone Corporation
Cases Nos. 18-R-1882
18-R-1946

Dear Mr. Martin:

This acknowledges receipt of your request to withdraw petition in the above matter, which request is hereby granted and the case is being closed.

Receipt is, also, acknowledged of your new petition in Case No. 18-R-1946. This matter is being assigned to Field Examiner Alan Bruce.

Your letter does not indicate that a new claim of representation has been made by you upon the employer in connection with the filing of the new case. If this has not yet been done I deem it important that you make such a claim immediately. In any event, please submit a copy of the letter sent by you to the employer requesting recognition, which will then enable us to proceed without reference to the former case.

Very truly yours,

/s/ James M. Shields
James M. Shields
Regional Director